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Federal Communications Commission

DA 99-1090

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**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Global NAPs South, Inc. Petition for)	CC Docket No. 99-198
Preemption of the Jurisdiction of the Virginia)	
State Corporation Commission Regarding)	
Interconnection Dispute with Bell Atlantic-)	
Virginia)	

ORDER

Adopted: June 3, 1999**Released: June 3, 1999**

By the Deputy Chief, Policy and Program Planning Division, Common Carrier Bureau

1. On May 19, 1999, Global NAPs, South Inc. (Global NAPs) filed the above-captioned petition with the Commission pursuant to section 252(e)(5) of the Telecommunications Act of 1996¹. In its petition, Global NAPs requests that the Commission preempt the jurisdiction of the Virginia State Corporation Commission (VSCC) with respect to an arbitration proceeding involving Global NAPs and Bell Atlantic. The Commission established a pleading cycle for the Global NAPs petition by a Public Notice released on May 24, 1999.²

2. On May 26, 1999, Global NAPs filed a letter requesting that the Commission modify the public comment dates in this matter so that comments and reply comments would be due one week later than previously established in the Public Notice.³ Global NAPs states that the modification is necessary because it did not serve a copy of its petition on the VSCC until May 26, 1999.

¹ Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, codified at 47 U.S.C. §§ 151 et seq.

² *Pleading Cycle Established for Comments on Global NAPs South, Inc. Petition for Preemption of Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Dispute with Bell Atlantic-Virginia*, Public Notice, CC Docket No. 99-198, DA 99-984, released May 24, 1999 (Public Notice). The Public Notice established a deadline for comment of June 8, 1999, and a deadline for reply comments of June 17, 1999.

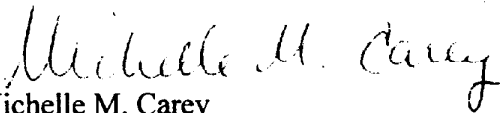
³ Letter from Christopher W. Savage, Cole, Raywid & Braverman, L.L.P., to Magalie Roman Salas, Secretary, FCC, filed May 26, 1999.

3. On June 2, 1999, Global NAPs filed a second letter with the Commission, stating that it has no objection to treating its original petition as having been filed on May 26, 1999, the date the VSCC was served, for purposes of calculating the 90-day period for Commission action on its petition under 47 U.S.C. 252(e)(5).⁶

4. The Commission does not routinely grant extensions of time.⁷ Given the importance of the issues raised in this proceeding, however, we want to ensure that parties have adequate time for preparing comments. Additionally, we note that the petitioner, Global NAPs, and the VSCC have agreed to a one-week extension. Therefore, we do not believe that a brief extension of the pleading cycle on the Global NAPs petition will harm the public interest.

5. Accordingly, IT IS ORDERED that the requests for extension of time filed by Global NAPs and the VSCC ARE GRANTED. Comments must be filed on or before June 15, 1999, and reply comments must be filed on or before June 24, 1999. All other requirements and procedures established in the Commission's May 24, 1999, Public Notice concerning the Global NAPs petition remain in effect. The Global NAPs petition is deemed filed on May 26, 1999, and the deadline for Commission action is 90 days from that date.

FEDERAL COMMUNICATIONS COMMISSION



Michelle M. Carey
Deputy Chief
Policy and Program Planning Division
Common Carrier Bureau

⁶ Letter from Christopher W. Savage, Cole, Raywid & Braverman, L.L.P., to Magalie Roman Salas, Secretary, FCC, filed June 2, 1999.

⁷ 47 C.F.R. § 1.46(a).